

FILED  
IN CLERKS OFFICE  
2004 JAN 8 A 11:24  
UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS  
CIVIL ACTION NO. 03 CV 12592 REK

GAETANO P. DELUCA,  
Plaintiff

v.

THE TOWN OF HINGHAM, HINGHAM BOARD OF HEALTH,  
PETER B. BICKFORD, CHAIRMAN, RAYMOND E. BEALE, JR.,  
RUTH ANNE BECK, TREASURER/TAX COLLECTOR,  
BRUCE T. CAPMAN, EXECUTIVE HEALTH OFFICER and  
FIRST HIGH STREET TRUST,

Defendants

PLAINTIFF'S OPPOSITION TO DEFENDANTS' MOTION  
TO EXTEND TIME TO FILE RESPONSE TO COMPLAINT

Now comes the plaintiff, Gaetano P. DeLuca, and respectfully  
opposes the defendants' Motion to Extend Time to File  
Response to Complaint.

In support of this opposition, the plaintiff states the  
following:


1. The plaintiff is representing himself in this matter pro  
se.
2. On December 23, 2003, all Defendants were served.

3. On December 23, 2003, the Town of Hingham was served notice of this action by Certified Mail.
4. Under the Federal Rules of Civil Procedure, the defendants are required to file their Answers to the Complaint within 20 days of service. Accordingly, defendants' Answers are due on or before January 12, 2004.
5. The defendants' request for a 30 day extension is clearly excessive as they seek a total of 50 days to Answer the Complaint.
6. In its Motion to Extend time, Counsel for the defendants does not specify what defendants he represents.
7. The plaintiff's Complaint is not vague as the defendants contend. Furthermore, responses to the numbered paragraphs of the Complaint, for the most part, require only one or two word Answers with minimal if any investigation is undertaken.
8. The defendants' request for a 30 day extension is clearly excessive and would be a hardship upon the plaintiff.

WHEREFORE, the plaintiff prays that this Honorable Court deny the defendants' Motion and Order defendants' Counsel to specify which defendants he represents and further order the defendants to file and serve their Answers on or before January 16, 2004.

Dated: January 7, 2004

Respectfully submitted,

  
Gaetano P. DeLuca  
140 High Street  
Hingham, MA 02043

CERTIFICATE OF SERVICE

I herein certify that all parties were served a copy of the attached by First Class Mail on January 7, 2004.

January 7, 2004

  
Gaetano P. DeLuca